

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CAROLYN BARTHOLOMEW,	:	CIVIL ACTION
Plaintiff	:	
	:	
	:	
v.	:	
	:	
	:	
ST. LUKES HOSPITAL -	:	
ALLENTOWN CAMPUS,	:	
Defendant	:	NO. 02-2876

ORDER

AND NOW, this _____ day of August, 2002, upon consideration of the defendant's Motion to Dismiss the Amended Complaint or in the Alternative for Summary Judgment (Docket #9), and the plaintiff's Memorandum of Law in Opposition thereto, IT IS HEREBY ORDERED that said Motion is DENIED because the Court concludes that the Amended Complaint's allegations are sufficient, at this point, to survive scrutiny under Federal Rule of Civil Procedure 12(b)(6). In addition, the Court is reluctant to, at this early stage of the proceedings, consider the documents attached to the defendant's motion to dismiss and convert the motion into a motion for summary judgment. Therefore, the defendant's motion is denied in its entirety.

This action shall now proceed in accordance with the terms of the First Scheduling Order which follows.

BY THE COURT:

MARY A. McLAUGHLIN, J.